

## Information for the attention of Implementation Committee, Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991)

To be sent through the Secretary to the Convention:

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Date sent to the Secretary	
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Sent by ("the source"):

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Concerning:

Party or Parties (States) of origin, under whose jurisdiction a proposed activity is envisaged to take place	Romania
Affected Party or Parties (States), likely to be affected by the transboundary impact of a proposed activity	Bulgaria
Activity (project), identified in the list of activities in Appendix I to the Convention	Art 3 of the Appendix 1 - List of Activities subject to Espoo Convention, Installations designed for the final disposal of radioactive waste for more than 10 years - Construction of Low and Medium Nuclear Radioactive Waste Repository
Likely significant adverse trans-boundary impact of the activity (project)	The Repository will be constructed at 33 KM from the Bulgarian border. The likely significant transboundary impact relates to: <ul style="list-style-type: none"> <li>- transportation of nuclear radioactive waste</li> <li>- possible pollution of groundwaters and all related consequences</li> <li>- possible pollution of air</li> <li>- possible effects of accidents as result of normal operation of the repository</li> <li>- possible effects of an accident produced by an earthquake or floods</li> </ul>

Provisions of the Convention (Articles) compliance with which is being contested	Art. 2.4, 2.6, 2.7, 2.11, Art.3.1, 3.2, 3.7, 3.8, Art. 4. SEA Protocol
Description of issue – please attach supporting information	In 2008 The National Commission for Nuclear Activity Control (NCNAC) issued a partial authorisation to Nuclear Agency&Radioactive Waste regarding the future location of the Low and Medium Nuclear Radioactive Waste Repository. In 2010 the NCNAC issued the second authorisation for the same purpose. The new authorisation is valid until 2012. Researching the effects of such administrative act, we realised that the authorities are now preparing the documentation both for what should have been the strategic environmental assessment (although the location has been already decided in 2008, Hill of Cristian) and for the environmental impact assessment. Since 2009 Nuclearelectrica, a state company, is doing an evaluation of the land, Hill of Cristian, in order to buy it. Such legal possibility is given by the same partial authorisation given by NCNAC. We asked the national courts to cancel this authorisation for violation of SEA Directive and Espoo Convention. The court rejected our case. We are now waiting for the written decision of the court and then we will file an appeal. Please see the attached documentation.

*For use by secretariat:*

Reference number	EIA / IC / INFO /
Date received	
Original language of information	
Translation into English by	
Date forwarded to Committee	
Date forwarded to Party or Parties	
Remarks by secretariat	
Date first discussed by the Committee (possibly including preliminary determination of admissibility)	
Additional information requested of source	

*For use by the Committee:*

The source of the information is known and not anonymous	
The information relates to an activity listed in Appendix I to the Convention likely to have a significant adverse transboundary impact	
The information is the basis for a profound suspicion of non-compliance	
The information relates to the implementation of Convention provisions	
Committee time and resources are available	